

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

DONALD R. BERRY,)
)
Plaintiff,)
)
v.) Cause No. 1:12 CV 6 RWS
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before me on a Report and Recommendation to affirm the decision of the Commissioner of Social Security to deny Plaintiff Disability Insurance Benefits under Title II of the Social Security Act and Supplemental Security Income under Title XVI of the Social Security Act. Neither of the parties has filed an objection to this recommendation.

This matter was referred to United States Magistrate Judge Shirley Padmore Mensah for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Mensah issued a Report and Recommendation on February 13, 2013 that recommended that the Commissioner's decision to deny benefits should be affirmed. Judge Mensah found that the Administrative Law Judge's determination that Plaintiff was not entitled to benefits was supported by substantial evidence in the record.

Any objections to Judge Mensah's Report and Recommendation had to be filed by February 27, 2013. Neither of the parties has filed an objection as of today's date.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge Mensah is **SUSTAINED, ADOPTED AND INCORPORATED** herein. The

Commissioner of Social Security's decision to deny Supplemental Security Income benefits to Plaintiff is affirmed.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 8th day of March, 2013.